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DOC #: ____________
DATE FILED: 4/1/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
- x

Qing Xiang (A76 110 357), et al.,

Plaintiff(s)

V.

08-cv-02535 (LAK)

USCIS NYC District Office , et ano.,

Defendant(s).

- x

ORDER RE SCHEDULING AND
INITIAL PRETRIAL CONFERENCE

KAPLAN, District Judge.

This action having been assigned to me for all purposes, it is hereby,

ORDERED as follows:

1. Counsel receiving this order shall promptly mail copies hereof to all other counsel of record or, in the case of parties for which no appearance has been made, to such parties.

2. Counsel for **all** parties are directed to confer regarding an agreed scheduling order. If counsel are able to agree on a schedule **and the agreed schedule calls for filing of the pretrial order not more than six (6) months from the date of this order**, counsel shall sign and email a PDF of the proposed schedule to the Orders and Judgment Clerk* within thirty (30) days from the date hereof by using the consent scheduling order form annexed for the Court's consideration. If such a consent order is not filed within the time provided, a conference will be held on **5/09/2008** in courtroom 12 D, 500 Pearl Street, New York, New York at **10:00am**.

3. Any party desiring a conference with the Court for purposes of discussing settlement, narrowing of issues, or other pertinent pretrial matters may request a conference by letter.

4. Counsel should be aware that this case has been designated for Electronic Case Filing (ECF). It is the responsibility of counsel to become familiar with and follow ECF procedures. Information regarding the ECF system can be found on the Court's website at www.nysd.uscourts.gov.

Dated: April 1, 2008

Lewis A. Kaplan
United States District Judge

* Orders_and_Judgments@nysd.ucsourts.gov

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SOUTHERN DISTRICT OF NEW YORK

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Plaintiff(s)

v. 08-cv-02535 (LAK)

USCIS NYC District Office , et ano.,

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Consent Scheduling Order

Upon consent of the parties, it is hereby ORDERED as follows:

1. No additional parties may be joined after ___________.

2. No amendments to the pleadings will be permitted after ___________.

3. The parties shall make required Rule 26(a)(2) disclosures with respect to:

(a) expert witnesses on or before ___________;

(b) rebuttal expert witnesses on or before ___________.

4. All discovery, including any depositions of experts, shall be completed on or before ___________.

5. A joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before ___________.

6. No motion for summary judgment shall be served after the deadline fixed for submission of the pretrial order. The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pretrial order on time.

7. If any party claims a right to trial by jury, proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.

8. Each party or group of parties aligned in interest shall submit not less than ten (10) days prior to trial (a) a trial brief setting forth a summary of its contentions and dealing with any legal and evidentiary problems anticipated at trial, and (b) any motions in limine.

9. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. Counsel should not assume that extensions will be granted as a matter of routine.

Dated: ______________________________

Lewis A. Kaplan
United States District Judge

CONSENTED TO: [signatures of all counsel]